

Guardianship Accountability Act of 2019

Sponsored by Rep. Soto, Bilikaris, Crist, and Dingell

The number of Americans aged 65 and older will more than double by 2060, increasing from 46 million today to more than 98 million. It is estimated that 1.3 million adults and approximately \$50 billion in assets are currently under the care of guardians in the United States. The *Guardianship Accountability Act* promotes guardianship oversight and accountability, while also encouraging information sharing among state and federal government entities and other relevant organizations.

The Guardianship Accountability Act:

- Directs the Elder Justice Coordinating Council to establish a National Online Resource Center on Guardianship to carry out activities as directed by the Council, including:
- Collect and publish information relevant to guardianship for use by guardians, individuals subject to guardianship, courts, state and local governments, and community organizations;
- Publish model legislation and best practices developed pursuant to the *Elder Abuse Prevention and Prosecution Act*;
- Promote the use of less restrictive alternatives to guardianship;
- Compile and publish research related to guardianship;
- Collect state statistics on guardianship arrangements, including the number of individuals subject to guardianship and the amount of financial assets under control of guardians;
- Maintain a public database on state laws regarding guardianship and the use of less restrictive alternatives;
- Identify and publish recommendations related to guardianship, including best practices;
- Compile and publish training materials for guardians;
- Facilitate information sharing among states; and
- Other activities as directed by the Elder Justice Coordinating Council.
- Expands availability of federal demonstration grants established by the *Elder Justice Act* to include use for:
 - Development of state guardianship databases;
 - Training for court visitors; and
 - Sharing information on appointed guardians, including background checks.
 - Ensures that the highest courts of states are eligible for a portion of funds made available for certain demonstration grant purposes.

Following a year-long investigation, the Aging Committee released a [report](#), ***“Ensuring Trust: Strengthening State Efforts to Overhaul the Guardianship Process and Protect Older Americans”*** in November 2018. The Guardianship Accountability Act addresses many of the report’s recommendations, including the creation of a national resource center, the promotion of less restrictive alternatives to guardianship, the facilitation of background checks, and the sharing of information among local, state, and federal organizations.